

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GROVE CITY VETERINARY
SERVICE, LLC, an Ohio limited
liability company; HEATHER M.
FEES, DVM, an individual;
and HEATHER FEES, DVM, LLC,
an Ohio limited liability
company,

3:13-CV-02276-AC

ORDER

Plaintiffs,

v.

CHARTER PRACTICES
INTERNATIONAL LLC, a Delaware
limited liability company,

Defendant.

BROWN, Judge.

Magistrate Judge John V. Acosta issued Findings and Recommendation (#39) on May 15, 2014, in which he recommends this Court grant Defendant's Motion (#18) to Dismiss, dismiss Count III of Plaintiffs' Complaint without prejudice, and grant in part and deny in part Plaintiffs' Motion (#29) for Leave to File First Amended Complaint. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. See *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Acosta's Findings and Recommendation (#39). Accordingly, the Court **GRANTS** Defendant's Motion (#18) to Dismiss and **DISMISSES** Count III of Plaintiffs' Complaint **without prejudice**. The Court also **GRANTS in part** and **DENIES in part** Plaintiffs' Motion (#29) for Leave to File First Amended Complaint. Plaintiffs may file a First Amended Complaint for review by the Magistrate Judge as set out in the Findings and Recommendation **no later than July 31, 2014**.

IT IS SO ORDERED.

DATED this 9th day of July, 2014.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge